

**KIRKLAND POLICE DEPARTMENT**

123 5th Avenue Kirkland, WA 98033

CASE# 2017-00020121

**CASE REPORT****NARRATIVE****17-20121****J. Klein #618****Assault 4****15 June 2017****Narrative**

On 14 June 2017 at about 2219 hours I received a call for service referencing a possible assault that occurred between a nurse and patient at Fairfax Hospital, which is located at 10200 NE 132<sup>nd</sup> St. Kirkland WA 98034. It was reported that the patient had spit on a nurse, but that the patient had since calmed down prior to Police being called.

I responded and spoke with [REDACTED] 2 - Non-Disclosure who stated that she was the nurse that was spit on. [REDACTED] 2 - Non-Disclosure provided a written statement and stated that she would assist with prosecution. [REDACTED] 2 - Non-Disclosure is currently employed by Fairfax hospital, is a registered nurse, and was acting as a nurse when the alleged assault occurred. She stated that the patient who was at the hospital was there voluntarily and not on a court ordered hold.

[REDACTED] 2 - Non-Disclosure reported that a patient, [REDACTED] ( [REDACTED] ), started to become agitated and aggressive around 2130 hours. [REDACTED] 2 - Non-Disclosure began moving patients away from where [REDACTED] was for their own safety. While she was moving a different patient away from the area she walked past [REDACTED]. When [REDACTED] 2 - Non-Disclosure walked past [REDACTED] without warning or provocation, [REDACTED] spit on the left side of her face. [REDACTED] 2 - Non-Disclosure was wearing reading glasses when she was spit on, but reported that some of the spit made its way through the side of her glasses and hit her eye. She reported that she could feel the spit hit her eye when [REDACTED] did it. [REDACTED] 2 - Non-Disclosure immediately rinsed out her eyes as different hospital staff attended to [REDACTED]. [REDACTED] eventually was restrained until he could be properly medicated and calmed down. [REDACTED] 2 - Non-Disclosure stated that she was going to Evergreen Hospital in order to seek medication attention since the spit made contact with her eye. [REDACTED] 2 - Non-Disclosure reported that this is the second time [REDACTED] has spit on her, but that this is the first time she has called Police to report it.

[REDACTED] 2 - Non-Disclosure stated that there is security footage in the area where the assault occurred however she would not have access to it at the time I contacted her. I left her with my business card as well as the case number and asked that she make a copy of the security footage for the case. I will follow up next week to see if the video footage is available.

At the time I responded to the Hospital [REDACTED] had already been heavily medicated for his bipolar disorder. I attempted to make contact with [REDACTED] while he was inside the hospital. When attempting to contact [REDACTED] the charge nurse, [REDACTED] who oversees the area where [REDACTED] was being treated, that we were not allowed to go into the area while still armed with our firearms per their policy. I told hospital staff that per our policy that myself and assisting Officers were not going to disarm ourselves while inside their facility. They stated that they would not

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### NARRATIVE (continuation)

allow me inside while carrying my firearm, but that they would call their CEO and check with him. I instructed them to call me back if anything changes so I could take custody of [REDACTED], but that I was going to start typing my report at a different location.

Based upon [REDACTED] 3 - Not Juv... written statement about [REDACTED] spitting on her face while acting as a nurse inside the hospital there is probable cause to arrest [REDACTED] for assault 3<sup>rd</sup> degree. Based upon the King county filing guidelines I am filing this case as an assault 4<sup>th</sup> degree using criminal citation C43655K.

About 10 minutes after I left the hospital, they called back stated that we were now allowed inside their facility with our firearms and that we could take custody of [REDACTED]. I returned to the hospital and asked them to bring [REDACTED] to the waiting room. Several minutes later, [REDACTED] was brought to the waiting room. I positively identified [REDACTED] by using both the personal information (name and date of birth) provided to me by the medical staff as well as his photo ID that was in his personal property/wallet that hospital staff had secured in a bag while [REDACTED] was at the hospital.

I placed him in handcuffs, checked for proper fit, and double locked them for safety. I explained that he was under arrest for assault 4<sup>th</sup> degree. [REDACTED] appeared to be heavily medicated at the time I placed him under arrest. I read him his Miranda rights verbatim from my department issued Miranda card at about 0003 hours. [REDACTED] verbally stated that he understood his rights, however based upon his general demeanor I did not ask him any investigative questions.

I searched him incident to arrest and found no weapons or contraband on his person. I took custody of his clothing which had been placed in a bag as well as his backpack. I transported him to the Kirkland Jail in order to administratively book [REDACTED] for assault 4<sup>th</sup> degree. Once I arrived at the Jail [REDACTED] started to become agitated and instead of admin booking him I decided to not take him out of the vehicle and instead transport him directly to KCJ on his outstanding warrant and file the charges through investigation. I then had NORCOM confirm on [REDACTED]'s warrant. Once the warrant was confirmed I transported him to KCJ. [REDACTED]'s warrant was from DOC for escaping community custody (DOW: 5/23/17, Warrant #: 27131017425, AOB: No Bail). [REDACTED] also had an outstanding felony warrant for Assault 3<sup>rd</sup> degree out of Seattle PD. [REDACTED] was medically cleared by nursing staff at the jail and booked into KCJ without incident.

The only items [REDACTED] requested be taken to KCJ was his clothing, medication, and a small manila envelope with some legal paperwork inside. Those items were given to KCJ staff when he was booked in. I entered [REDACTED]'s backpack into evidence for safe keeping. Prior to entering it I searched it and found no weapons or contraband inside. I did throw away two lighters, a bottle of Gatorade, and a bottle of milk since they are not allowed to be booked into the evidence room. The rest of the items (clothing and hygiene products) were secured in his backpack and entered

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into evidence for safe keeping (1720121EV618-001).

I completed criminal citation C43655K for assault 4<sup>th</sup> degree along with the appropriate paperwork to be filed through investigation

N/F

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